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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,959	02/18/2004	William A. Crowell	64793.000003	2319

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EXAMINER	
EWART, JAMES D	

ART UNIT	PAPER NUMBER
2683	

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/780,959	CROWELL, WILLIAM A.	
	Examiner	Art Unit	
	James D. Ewart	2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *Feb 18, 2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1-4,7-14,16,18 and 19 are rejected under 35 USC 103(a) as being unpatentable over Merwin et al. (U.S. Patent Publication No. 2002/0001369) in view of Wertsberger (U.S. Patent Publication No. 2004/0066924).

Referring to claim 1, Merwin et al teaches a method of providing an alarm service over a phone network (0009) comprising: receiving a request at a network service center to schedule an alarm call to be delivered to a phone (0026 to 0030); establishing alarm call parameters based on information received from at least one of the phone and a phone user (0032-0033); saving the alarm call parameters on a database at the network service center (Figure 1, 21 and 0070); and initiating the alarm call to the phone at a time and date corresponding to the alarm call parameters (0069). Although Merwin et al teaches in 0021 the problems with wireless telephone calendars and solving the problems 0023, he does not specifically teach requesting and receiving alarm information via a wireless phone through a wireless network. Wertsberger teaches requesting and receiving alarm information (0027 and 0033) via a wireless phone using a wireless network (0014). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Wertsberger teaches

requesting and receiving alarm information via a wireless phone using a wireless network to provide a reminder to a subscriber in a flexible fashion (0007).

Referring to claim 2, Merwin et al further teaches wherein the request to schedule the alarm call is received from the wireless phone user via an incoming telephone call from the wireless phone to which the alarm call is to be delivered (0027). Wertsberger teaches using a wireless phone (Figure 1).

Referring to claim 3, Merwin et al further teaches wherein the request to schedule the alarm call is a verbal request received from the phone user and the method further comprises translating the verbal request into data by a voice recognition system at the network service center (Figure 1, 13). Wertsberger teaches using a wireless phone (Figure 1).

Referring to claim 4, Merwin et al further teaches transmitting an audible prompt to the phone user prior to receiving the verbal request from the wireless phone user to schedule the alarm call (0032). Wertsberger teaches using a wireless phone (Figure 1).

Referring to claim 7, Merwin et al further teaches determining the telephone number of the phone from which the request is received (0029). Wertsberger teaches using a wireless phone (Figure 1).

Referring to claim 8, Merwin et al further teaches playing a recording when a phone user answers the alarm call, wherein the recording identifies the alarm call to the wireless phone user (0034 and 0040). Wertsberger teaches using a wireless phone (Figure 1).

Referring to claim 9, Merwin et al further teaches receiving a request from the phone user to schedule an alarm call to be delivered to a telephone in addition to the wireless phone from which the alarm call request was placed (0010). Wertsberger teaches using a wireless phone (Figure 1).

Referring to claim 10, Merwin et al further teaches wherein the telephone number of the telephone in addition to the phone from which the alarm call request was placed is obtained from a pre-established directory associated with the phone user (0071). Wertsberger teaches using a wireless phone (Figure 1).

Referring to claim 11, Wertsberger further teaches simultaneously initiating at least one additional alarm call to a different phone, wherein the at least one additional alarm call was independently scheduled to be delivered at the same time and date (0039 and 0040). With a plurality of subscribers connected to the server, alerts can occur for the same time and date.

Referring to claim 12, Merwin et al further teaches wherein the request to schedule an alarm call is for an alarm call to be delivered at a specific time on a specific date (0032).

Referring to claim 13, Wertsberger further teaches wherein the request to schedule an alarm call is for an alarm call to be delivered at a specific time on multiple dates (0011).

Referring to claim 14, Merwin et al further teaches providing the wireless phone user an audible confirmation of the scheduled alarm call (0032).

Referring to claim 16, Merwin et al further teaches wherein the request to schedule the alarm call is received from the wireless user via a network of interconnected computers (0009). Telephone networks consist of interconnected switches, which are also computers.

Referring to claim 18, Merwin et al teaches a system for providing a wireless network alarm service (0009) comprising: a network service center in communication with a plurality of phones to deliver a plurality of alarm calls to the wireless phones at a scheduled date and time (Figure 1, 21 and 0032 to 0033), wherein the network service center comprises a user interface having a voice recognition system capable of translating verbal communication into data readable by a computer to establish alarm call parameters (Figure 1, 13), at least one database containing stored alarm call parameters (Figure 1, 21), wherein the alarm call parameters include at least a date parameter (Figure 1, 17), a time parameter (Figure 1, 17), and a destination parameter (Figure 1, 17), and a processor to execute and manage interactions between the user interface, at least one database, and call generator (0085). Although Merwin et al teaches in 0021 the problems with wireless telephone calendars and solving the problems 0023 and also that the design of the system is intended for a plurality of subscribers (0019), he does not

specifically teach requesting and receiving alarm information via a wireless phone through a wireless network and a call generator for placing a plurality of alarm calls simultaneously to a plurality of different wireless phones when a clock associated with the network service center matches the alarm call parameters stored within the database. Wertsberger teaches requesting and receiving alarm information (0027 and 0033) via a wireless phone using a wireless network (0014) and a call generator for placing a plurality of alarm calls simultaneously to a plurality of different wireless phones when a clock associated with the network service center matches the alarm call parameters stored within the database (0039 and 0040). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Wertsberger teaches requesting and receiving alarm information via a wireless phone using a wireless network and a call generator for placing a plurality of alarm calls simultaneously to a plurality of different wireless phones when a clock associated with the network service center matches the alarm call parameters stored within the database to provide a reminder to a subscriber in a flexible fashion (0007). With a plurality of subscribers connected to the server, alerts can occur for the same time and date.

Referring to claim 19, Merwin et al further teaches wherein the at least one database comprises a user database (0029) and an alarm database (Figure 1, 21).

2. Claims 5, 6, 15 and 17 are rejected under 35 USC 103(a) as being unpatentable over Merwin et al. in view of Wertsberger and further in view of Elsey et al. (U.S. Patent No. 2003/0088427)

Referring to claim 5, Merwin et al. and Wertsberger teach the limitations of claim 5, but do not teach determining a geographical location of the wireless phone when the alarm call is scheduled to establish a default time zone for the alarm call to be initiated. Elsey et al teaches determining a geographical location of the wireless phone when the alarm call is scheduled to establish a default time zone for the alarm call to be initiated (Figure 1, 0005 and 0038). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Merwin et al. and Wertsberger with the teaching of Elsey et al of determining a geographical location of the wireless phone when the alarm call is scheduled to establish a default time zone for the alarm call to be initiated to schedule reminders that take into account different time zones when traveling outside of a default time zone (0003).

Referring to claim 6, Elsey et al further teaches changing the default time zone (0038 and 0039).

Referring to claim 15, Merwin et al. and Wertsberger teach the limitations of claim 15, including wherein the alarm call parameters comprise a time parameter, a date parameter, a destination parameter (Merwin et al, Figure 1, 17), but they do not teach using a time zone parameter. Elsey et al teaches using a time zone parameter (Figure 1, 0005 and 0038). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Merwin et al. and Wertsberger with the teaching of Elsey et al of using a time zone parameter to schedule reminders that take into account different time zones when traveling outside of a default time zone (0003).

Referring to claim 17, Merwin et al teaches a method for providing a phone network alarm service (0009) comprising: receiving an incoming call from a phone at a network service center (0027); providing an audible prompt to a phone user to provide input to schedule an alarm call (0032), receiving a voice request from the phone user to schedule an alarm call to the phone (0032-0033); determining the telephone number of the phone (0029); establishing alarm call parameters based on information received from at least one of the phone user and the phone (0032 to 0033); saving the alarm call on a database at the network service center (Figure 1, 21 & 0070); providing the user an audible confirmation of the scheduled alarm call (0032); and initiating the alarm call to the phone at a date and time corresponding to the alarm call parameters (0069). Although Merwin et al teaches in 0021 the problems with wireless telephone calendars and solving the problems 0023 and also that the design of the system is intended for a plurality of subscribers (0019), he does not specifically teach requesting and receiving alarm information via a wireless phone through a wireless network and simultaneously initiating additional alarm calls to other wireless phones wherein the additional alarm calls were independently requested for the same date and time by other wireless phone users. Wertsberger teaches requesting and receiving alarm information (0027 and 0033) via a wireless phone using a wireless network (0014) and simultaneously initiating additional alarm calls to other wireless phones wherein the additional alarm calls were independently requested for the same date and time by other wireless phone users (0039 and 0040). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Wertsberger teaches requesting and receiving alarm information via a wireless phone using a wireless network and simultaneously initiating additional alarm calls to other wireless phones

wherein the additional alarm calls were independently requested for the same date and time by other wireless phone users to provide a reminder to a subscriber in a flexible fashion (0007). Merwin et al. and Wertsberger teach the limitations of claim 17, but do not teach determining a time zone where the wireless phone is located for the purpose of scheduling the appointment. Elsey et al teaches determining a time zone where the wireless phone is located for the purpose of scheduling the appointment (Figure 1, 0005 and 0038). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Merwin et al. and Wertsberger with the teaching of Elsey et al of determining a time zone where the wireless phone is located for the purpose of scheduling the appointment to schedule reminders that take into account different time zones when traveling outside of a default time zone (0003). The use of more than one call processing boards indicates simultaneous calls. With a plurality of subscribers connected to the SRS, alerts can occur for the same time and date. In addition, checking for calls to be processed indicates that a plurality of alert calls being initiated simultaneously.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Buhrmann et al. U.S. Patent No. 5,933,778 discloses method and apparatus for providing telecommunication services based on a subscriber profile updated by a personal information manager.

Elsey et al. U.S. Patent Publication No. 2002/0136367 discloses technique for facilitating communications with a party after initial unsuccessful communications therewith.

Kung et al U.S. Patent No. 6,373,817 discloses chase me system.

Lawson et al. U.S. Patent Publication No. 2004/0114733 discloses flexible alert calling.

Loucks U.S. Patent No. 6,760,412 discloses remote reminder of scheduled events.

McMahon U.S. Patent Publication No. 2001/0019603 discloses timed schedule reminder via telephone.

Merwin et al. U.S. Patent No. 6,731,725 discloses computerized system for the receipt recordation, scheduling and redelivery of telephone messages.

Morley et al. U.S. Patent No. 5,848,132 discloses telecommunications network having resident ability to pre-book scheduled call back services.

Pinsky et al. U.S. Patent No. 6,920,337 discloses apparatus, system and method for wireless notification.

Silver et al. U.S. Patent Publication No. 2004/0131162 discloses systems and methods for information provision.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James D. Ewart whose telephone number is (571) 272-7864. The examiner can normally be reached on M-F 7am - 4pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (571)272-7872. The fax phone numbers for the organization where this application or proceeding is assigned are (571) 272-8300 for regular communications and (571) 272-8300 for

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After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-2600.

Ewart
October 14, 2005

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